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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,794	04/01/2004	Yo Hyun Song	1594.1429	4959
21171	7590	08/15/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			GABLER, PHILIP FRANCIS	
			ART UNIT	PAPER NUMBER
			3637	

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/814,794	Applicant(s) SONG ET AL.	
	Examiner Philip Gabler	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 2 and 4-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2 and 4-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCollom (US Patent Number 5412839) in view of Roberts et al. (US Patent Number 3995349). McCollom (Figures 1-3) discloses a refrigerator (10) comprising: doors (12, 13) for opening or closing storage chambers (in 11, see column 1 lines 59-62); door handles (16,18) respectively provided at the doors; buffer members (56) of an elastic material respectively provided for the door handles and capable of making good tactile sensations when gripping the door handles; and deviating prevention members (66) capable of preventing the buffer members from being deviated from the door handles, wherein each of the door handles comprises: a fixing portion (30) fixed to a free end of the door; a front extension (portion of handle between 30 and 36), which extends in a front direction of the door from the fixing portion; a side extension (34, 36), which is bent to be coplanar with a front of the door, wherein an end of the side extension is bent inward to form an insertion groove (42) formed at an inner surface of the side extension for inserting the buffer member, the door handle and the insertion groove extend vertically along a lengthwise direction of the door (see figures); and the

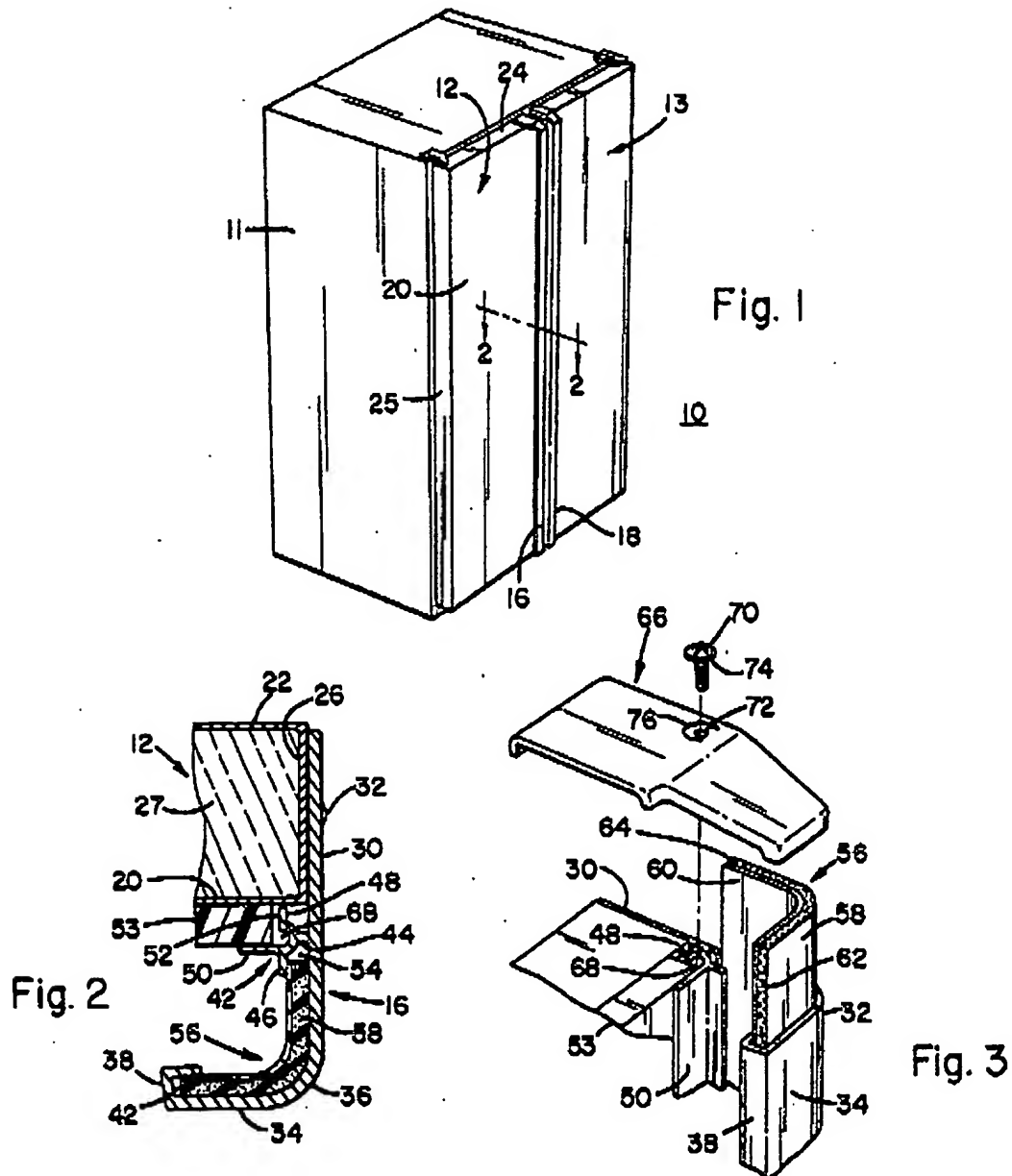
buffer member is vertically elongated along the lengthwise direction of the doors.

McCollom does not disclose a deviating prevention member located in the insertion groove. Roberts (Figures 1, 2, and 5) discloses a refrigerator (10) with a handle (14) including a deviating prevention member (68) fitting in insertion grooves (viewed in Exhibit 1 as the grooves A of element 52 that receive portions B of 68). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCollom's handle to include a deviating prevention member fitting in an insertion groove as taught by Roberts, the deviating prevention member, by virtue of its placement supporting one or more ends of opposite ends of the buffer member, because this arrangement would better secure the buffer member, as explained by Roberts, who (column 3 lines 9-12) discloses that such a member would be provided to "more rigidly maintain [a] handle together," etc.

3. Regarding claims 5 and 6, McCollom, when modified by Roberts as described above, discloses a refrigerator as recited in claim 3 but does not disclose a fixing protrusion and an elastic deformation portion. Roberts however, further discloses the deviating prevention member is provided with a fixing protrusion (72) for fixing the deviating prevention member in an insertion groove, and a mating member is formed with a fixing groove (62) to receive the fixing protrusion; and the deviating prevention member is slidably supported, at opposite sides thereof, in the insertion groove (elements B supported in A), and provided at a center thereof, with an elastic deformation portion (portion surrounding 72), which can deform such that the fixing protrusion can be vertically varied. Accordingly, it would have been obvious to one of

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ordinary skill in the art at the time the invention was made to further modify McCollom's handle to include a fixing portion and an elastic deformation portion on the deviating prevention member as taught by Roberts because this would allow the deviating prevention member to be secured in the handle assembly.



McCollom '839 Figures 1-3

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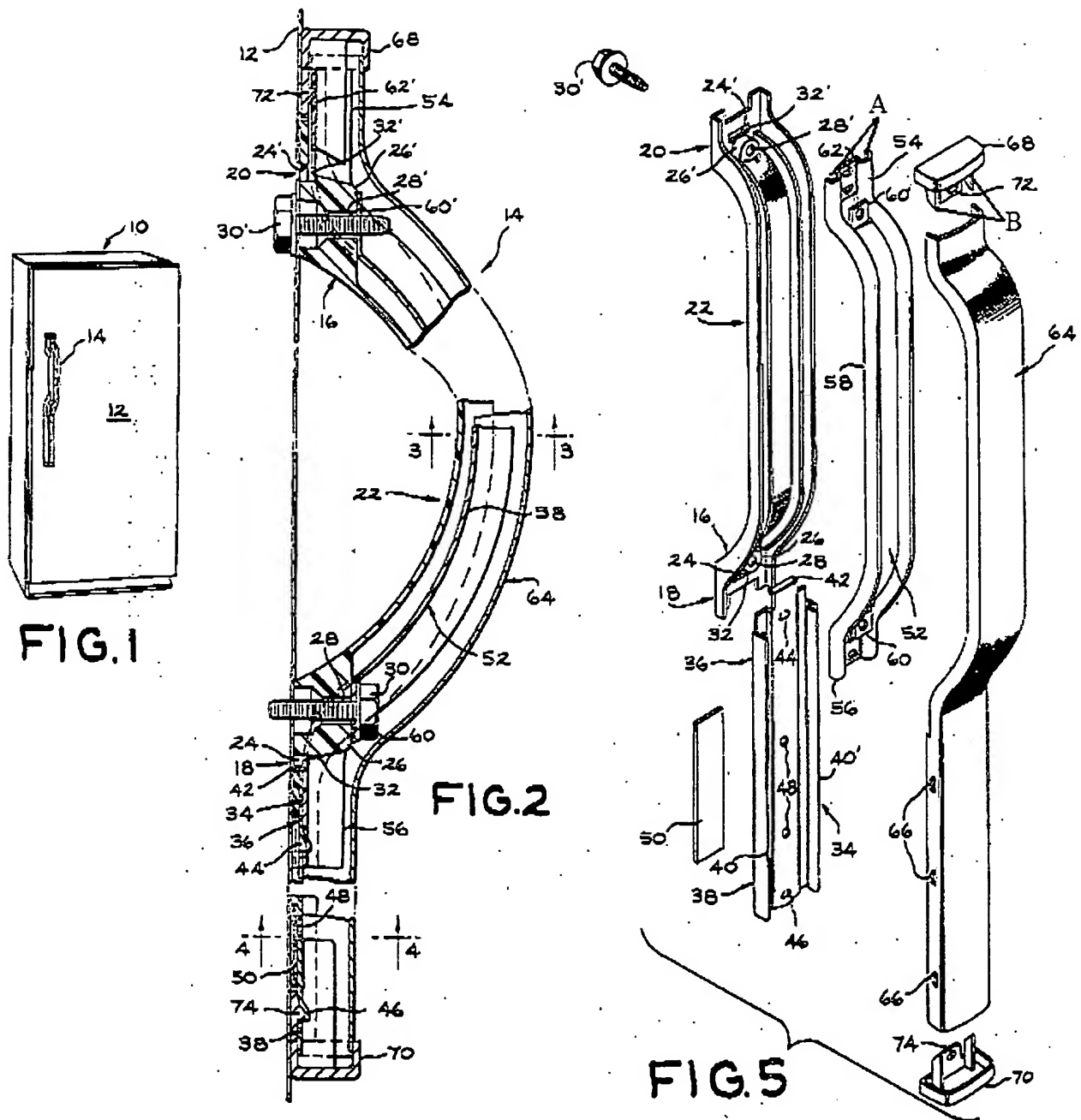
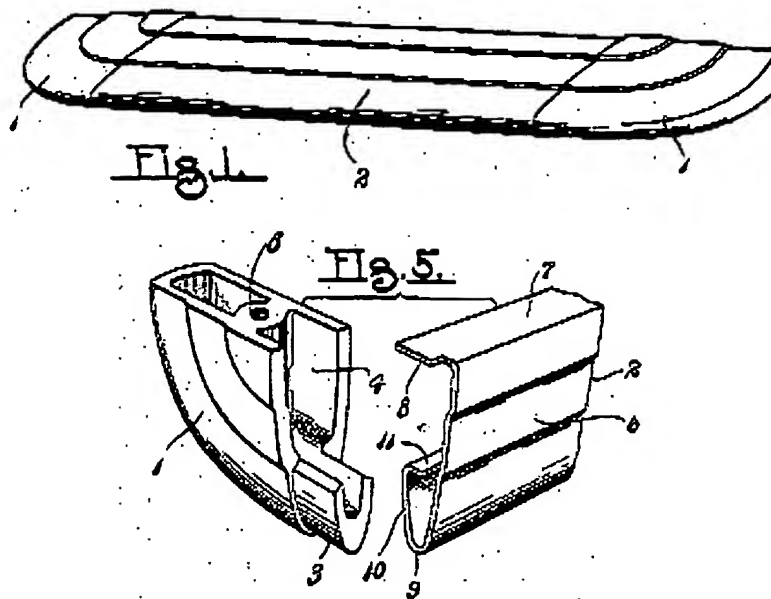


Exhibit 1: Roberts et al. '349 Figures 1, 2, and 5

4. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCollom in view of Roberts and further in view of DeVoe et al. (US Patent Number 2151195). McCollom, when modified by Roberts as described above, discloses a refrigerator as recited in claims 2 and 6 but does not disclose a buffer member or deviating prevention member formed with an uneven portion. DeVoe (Figures 1 and 5) discloses an appliance handle with a gripping member (2) formed with an uneven surface and deviating prevention members (1) formed with the same uneven surface. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McCollom's handle, previously modified by Roberts, to include uneven portions on the buffer and deviating prevention members as taught by DeVoe because this arrangement would provide a better grip on the handle for the user.



DeVoe et al. '195 Figures 1 and 5

***Response to Arguments***

5. Applicant's arguments, see the first page of remarks, filed 30 June 2006, with respect to the objection to the specification and the 35 USC 112 claim rejections have been fully considered and are persuasive. The objection to the specification and the 35 USC 112 claim rejections have been withdrawn.

6. Applicant's arguments regarding the 35 USC 103(a) rejections based on McCollom in view of Roberts, filed 30 June 2006, have been fully considered but they are not persuasive. Both McCollom and Roberts disclose elements that can be viewed as deviating prevention members, and which, by virtue of their placement are capable of preventing deviation of other members of the handle assemblies (a buffer member in particular in the case of McCollom). Further, Roberts (as noted in the rejection above) explicitly discloses his member functioning to maintain the handle together (i.e. prevent deviation of elements relative to one another and retain them in place). The Roberts reference clearly teaches that at least one purpose of his member is to retain and secure the elements of the handle, and the addition of such an element to McCollom's handle would serve to do just that: retain and secure elements (including a buffer member) of McCollom's handle.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

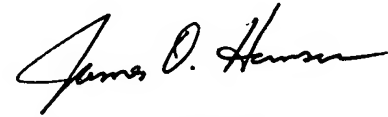
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Gabler whose telephone number is (571) 272-6038. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PFG *16*  
8/3/2006

  
JAMES O. HANSEN  
PRIMARY EXAMINER